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## RESOLUTION

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RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY.

WHEREAS, Sections 17-101 and 17-103.1 of the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Charter"), establish the Honolulu Authority for Rapid Transportation ("HART"), which has the authority to develop the City's fixed guideway system; and

WHEREAS, Charter Section 17-103.2(b) provides that HART is empowered to acquire by eminent domain, in the name of the City, all real property or any interest therein necessary for the development of the fixed guideway system; provided that prior to commencing such action, HART must submit to the Council, in writing, a list of the parcels and areas to be acquired; and

WHEREAS, Charter Section 17-103.2(b) further provides that HART may proceed with such condemnation action if the Council: (1) fails to adopt a resolution objecting to the condemnation within 45 days of receipt of notification; or (2) affirmatively approves of the acquisition by resolution; and

WHEREAS, by Departmental Communication 847 (2017) ("D-847 (2017)"), which was officially received by the Council on December 20, 2017, HART notified the Council of its intention to acquire interests in a number of properties by eminent domain; and

WHEREAS, among the property interests described in D-847 (2017) for condemnation are 35 easements over, on, and across 16 parcels of real property identified in Exhibits A and B, attached hereto and incorporated by reference herein, and as more particularly identified in the legal descriptions found in HART's Resolution 2017-12 attached to D-847 (2017); and

WHEREAS, the tax map key numbers, addresses, and owners of record of the abovementioned 16 properties (all of which are owned, in whole or in part, by Victoria Ward, Limited, or by an entity affiliated with Victoria Ward, Limited or the Howard Hughes Corporation), are listed in Exhibit A; and

WHEREAS, the easement identification numbers, easement type, acquisition type, and acquisition square footage are listed in Exhibit B, and metes and bounds legal descriptions of the easements are found in HART's Resolution 2017-12 attached to D-847 (2017); and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 18-17

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**RESOLUTION**

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WHEREAS, the 45th day following receipt of notification is February 3, 2018;  
now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it approves of the Honolulu Authority for Rapid Transportation's acquisition, in the name of the City by eminent domain, of various easements over, on, and across the real property identified in Exhibits A and B, as more particularly identified in the Honolulu Authority for Rapid Transportation's Resolution 2017-12 attached to D-847 (2017); and

BE IT FURTHER RESOLVED that pursuant to Charter Section 17-103.2(b), the Honolulu Authority for Rapid Transportation may proceed with condemnation of such property interests; and



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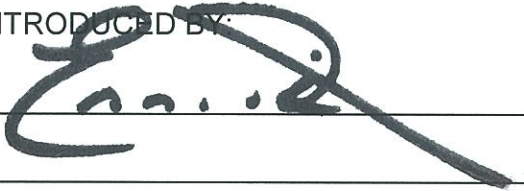
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**RESOLUTION**

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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Damien Kim, Chair of the Board of the Honolulu Authority for Rapid Transportation; Andrew S. Robbins, Executive Director and CEO of the Honolulu Authority for Rapid Transportation; and Mayor Kirk Caldwell.

INTRODUCED BY:

  
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DATE OF INTRODUCTION:

**JAN 12 2018**

\_\_\_\_\_  
Honolulu, Hawaii

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Councilmembers

## EXHIBIT A

Owner	Address	Tax Map Key No.
Victoria Ward Limited	534 Koula Street Honolulu, Hawaii 96813	2-1-052: 016 (portion)
Victoria Ward Limited	Halekauwila Street Honolulu, Hawaii 96813	2-1-052: 022 (portion)
Victoria Ward Limited	801 Halekauwila Street Honolulu, Hawaii 96813	2-1-052: 045 (portion)
Victoria Ward Limited	544 Ahui Street Honolulu, Hawaii 96813	2-1-052: 046 (portion)
Victoria Ward Limited	549 Ahui Street Honolulu, Hawaii 96813	2-1-052: 035 (portion)
Victoria Ward Limited	849 Halekauwila Street Honolulu, Hawaii 96813	2-1-052: 053 (portion)
Victoria Ward Limited	855 Halekauwila Street Honolulu, Hawaii 96813	2-1-052: 036 (portion)
Victoria Ward Limited	901 Halekauwila Street Honolulu, Hawaii 96814	2-1-052: 027 (portion)
Victoria Ward Limited	919 Halekauwila Street Honolulu, Hawaii 96814	2-1-052: 028 (portion)
988 Halekauwila LLC	988 Halekauwila Street Honolulu, Hawaii 96814	2-1-050: 071 (portion)
Victoria Ward Limited	333 Ward Avenue Honolulu, Hawaii 96814	2-3-002: 059 (portion)
1001 Queen, LLC	1001 Queen Street Honolulu, Hawaii 96814	2-3-002: 106 (portion)
Victoria Ward, Limited	1001 Queen Street Honolulu, Hawaii 96813	2-3-002: 105 (portion)
Victoria Ward, Limited	1100 Ala Moana Boulevard Honolulu, Hawaii 96814	2-3-002: 107 (portion)
Victoria Ward, Limited	1100 Ala Moana Boulevard Honolulu, Hawaii 96814	2-3-002: 110 (portion)
Hawaii Community Development Authority/ Victoria Ward, Limited	Queen Street Honolulu, Hawaii 96814	2-3-003: 087 (portion)

**EXHIBIT B – Description of the Easements and the Property**

<b>PARCEL ID</b>	<b>TAX MAP KEY</b>	<b>OWNER NAME AND PROPERTY ADDRESS</b>	<b>ACQUISITION TYPE</b>	<b>REAL ESTATE NEEDED</b>	<b>ACQUISITION SQUARE FEET</b>
Easement 451-B	2-1-052-016	<b>Victoria Ward, Limited</b> 534 Koula St., Honolulu, HI 96813	Partial	Project Easement	127
Easement 451-A	2-1-052-022	<b>Victoria Ward, Limited</b> Halekauwila St., Honolulu, HI 96813	Partial	Project Easement	2,136
Easement 451-C	2-1-052-022	<b>Victoria Ward, Limited</b> Halekauwila St., Honolulu, HI 96813	Partial	Project Easement	290
Easement 451 D-1	2-1-052-022	<b>Victoria Ward, Limited</b> Halekauwila St., Honolulu, HI 96813	Partial	Project Easement	215
Easement 451 D-2	2-1-052-022	<b>Victoria Ward, Limited</b> Halekauwila St., Honolulu, HI 96813	Partial	Project Easement	205
Easement E-1	2-1-052-022	<b>Victoria Ward, Limited</b> Halekauwila St., Honolulu, HI 96813	Partial	Electrical Easement	2,475
Easement 452	2-1-052-045	<b>Victoria Ward, Limited</b> 801 Halekauwila St., Honolulu, HI 96813	Partial	Project Easement	362
Easement E-2	2-1-052-045	<b>Victoria Ward, Limited</b> 801 Halekauwila St., Honolulu, HI 96813	Partial	Electrical Easement	133
Easement 452-A	2-1-052-046	<b>Victoria Ward, Limited</b> 544 Ahui Street, Honolulu, HI 96813	Partial	Project Easement	1,203
Easement A	2-1-052-046	<b>Victoria Ward, Limited</b> 544 Ahui Street, Honolulu, HI 96813	Partial	Temporary Construction Easement	279

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Easement E-3	2-1-052-046	<b>Victoria Ward, Limited</b> 544 Ahui Street, Honolulu, HI 96813	Partial	Electrical Easement	293
Easement 453-A	2-1-052-035	<b>Victoria Ward, Limited</b> 549 Ahui St., Honolulu, HI 96813	Partial	Project Easement	569
Easement 453-B	2-1-052-053	<b>Victoria Ward, Limited</b> 849 Halekauwila St., Honolulu, HI 96813	Partial	Project Easement	488
Easement 453-C	2-1-052-036	<b>Victoria Ward, Limited</b> 855 Halekauwila St., Honolulu, HI 96813	Partial	Project Easement	746
Easement 454	2-1-052-027	<b>Victoria Ward, Limited</b> 901 Halekauwila St., Honolulu, HI 96814	Partial	Project Easement	98
Easement 454-A	2-1-052-027	<b>Victoria Ward, Limited</b> 901 Halekauwila St., Honolulu, HI 96814	Partial	Project Easement	528
Temporary Construction Easement A-1	2-1-052-027	<b>Victoria Ward, Limited</b> 901 Halekauwila St., Honolulu, HI 96814	Partial	Temporary Construction Easement	297
Temporary Construction Easement A-2	2-1-052-027	<b>Victoria Ward, Limited</b> 901 Halekauwila St., Honolulu, HI 96814	Partial	Temporary Construction Easement	83
Easement E-4	2-1-052-028	<b>Victoria Ward, Limited</b> 919 Halekauwila St., Honolulu, HI 96814	Partial	Electrical Easement	236
Easement 455	2-1-050-071	<b>988 Halekauwila LLC</b> 988 Halekauwila St., Honolulu, HI 96814 Title search as of 10/18/2017	Partial	Project Easement	5,072
Temporary Construction Easement A-3	2-1-050-071	<b>988 Halekauwila LLC</b> 988 Halekauwila St., Honolulu, HI 96814 Title search as of 10/18/2017	Partial	Temporary Construction Easement	88
Easement 468	2-3-002-059	<b>Victoria Ward, Limited</b> 333 Ward Ave., Honolulu, HI 96814	Partial	Project Easement	37,533

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Easement 18	2-3-002-059	<b>Victoria Ward, Limited</b> 333 Ward Ave., Honolulu, HI 96814	Partial	Access Easement	3,445
Easement 20	2-3-002-059	<b>Victoria Ward, Limited</b> 333 Ward Ave., Honolulu, HI 96814	Partial	Drain Easement	414
Easement 21	2-3-002-059	<b>Victoria Ward, Limited</b> 333 Ward Ave., Honolulu, HI 96814	Partial	Sewer Easement	295
Easement 22	2-3-002-059	<b>Victoria Ward, Limited</b> 333 Ward Ave., Honolulu, HI 96814	Partial	Sewer Easement	4,293
Easement U-1	2-3-002-106	<b>1001 Queen, LLC</b> 1001 Queen St., Honolulu, HI 96814	Partial	Utility Easement	125
	2-3-002-105	<b>Victoria Ward, Limited</b> 1001 Queen St., Honolulu, HI 96814			
Easement E-6	2-3-002-106	<b>1001 Queen, LLC</b> 1001 Queen St., Honolulu, HI 96814	Partial	Electrical Easement	133
	2-3-002-105	<b>Victoria Ward, Limited</b> 1001 Queen St., Honolulu, HI 96814			

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Easement 473	2-3-002-106	<b>1001 Queen, LLC</b> 1001 Queen St., Honolulu, HI 96814	Partial	Project Easement	22,861
	2-3-002-107	<b>Victoria Ward, Limited</b> 1100 Ala Moana Blvd., Honolulu, HI 96814			
	2-3-002-110	<b>Victoria Ward, Limited</b> 1100 Ala Moana Blvd., Honolulu, HI 96814			
Easement 473-A	2-3-002-106	<b>1001 Queen, LLC</b> 1001 Queen St., Honolulu, HI 96814	Partial	Project Easement	4,525
Easement 473-B	2-3-002-105	<b>Victoria Ward, Limited</b> 1001 Queen St., Honolulu, HI 96814	Partial	Project Easement	193
Easement E-5-A	2-3-002-106	<b>1001 Queen, LLC</b> 1001 Queen St., Honolulu, HI 96814	Partial	Electrical Easement	26
Easement E-5-D	2-3-002-106	<b>1001 Queen, LLC</b> 1001 Queen St., Honolulu, HI 96814	Partial	Electrical Easement	235



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Easement E-5-B	2-3-003-087	<b>Hawaii Community Development Authority</b> Queen St., Honolulu, HI 96814	Partial	Electrical Easement	26
Easement E-5-C	2-3-003-087	<b>Victoria Ward, Limited</b> Queen St., Honolulu, HI 96814	Partial	Electrical Easement	78

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

RESOLUTION 18-17

Introduced: 01/12/18 By: ERNEST MARTIN


Committee: EXECUTIVE MATTERS  
AND LEGAL AFFAIRS

Title: RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION  
REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY.

Voting Legend: \* = Aye w/Reservations

01/23/18	EXECUTIVE MATTERS AND LEGAL AFFAIRS	CR-25 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
01/31/18	COUNCIL	CR-25 AND RESOLUTION 18-17 WERE ADOPTED. 5 AYES: ANDERSON, ELEFANTE, MANAHAN, MENOR, PINE. 3 NOES: FUKUNAGA, KOBAYASHI, MARTIN. 1 ABSENT: OZAWA.

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

  
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GLEN I. TAKAHASHI, CITY CLERK

  
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RON MENOR, CHAIR AND PRESIDING OFFICER